

UNITED STATES PATENT AND TRADEMARK OFFICE
ORIGINALY FILED

Applicant: ~~Tommy F. BROOKEY~~ §
§
Serial No.: 09/855,932 §
§
Filed: May 15, 2001 §
§
For: APHRON-CONTAINING §
WELL DRILLING AND §
SERVICING FLUIDS §

Group Art Unit: 1712

Examiner: Philip C. Tucker

#12
9/18/02
JC

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RESPONSE TO OFFICE ACTION DATED AUGUST 2, 2002

Attorney Dkt. No.: 1894-00733
Date: September 4, 2002

Commissioner for Patents
Washington, D. C. 20231

Sir:

The Applicant acknowledges receipt of the Office Action dated August 2, 2002, in which the Examiner rejected claims 1-21. These are the only claims pending in the application. The Applicant requests that the Examiner reconsider the application in light of this response.

REMARKS

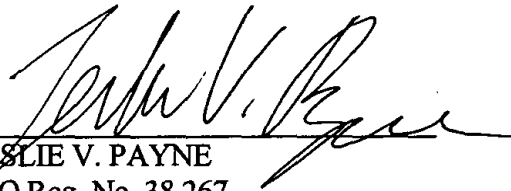
Based on obviousness-type double patenting, the Examiner rejected claims 1-21 over commonly owned U.S. Patent No. 6,422,326 (the "326 Patent"). In response, a terminal disclaimer with respect to the '326 patent is enclosed. Also enclosed are two assignment contracts. As shown by the assignments, the present application (which is a divisional of U.S. Application Serial No. 09/320,375) and U.S. Patent No. 6,422,326 (U.S. Application Serial No. 09/591,008) are commonly owned by MASI Technologies, L.L.C.

With the filing of this terminal disclaimer, all claims are believed to be in condition for allowance. In light of this request, the Commissioner is hereby authorized to charge Deposit Account No. 03-2769 for the submission of this Terminal Disclaimer. Please charge any extra fees or credit any overpayments to Deposit Account No. 03-2769.

CONCLUSION

For the reasons stated above, all claims are in condition for allowance and such favorable action is respectfully requested. If the Examiner has any questions or comments or otherwise feels it would be helpful, he is encouraged to telephone the undersigned at (713) 238-8044.

Respectfully submitted,



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